

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**NASHVILLE, TENNESSEE**

**May 18, 2004**

**IN RE:**

**PETITION OF COUNCE NATURAL GAS  
CORPORATION TO INCREASE ITS RATES**

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**DOCKET NO.  
04-00037**

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**ORDER CONVENING A CONTESTED CASE PROCEEDING, GRANTING  
INTERVENTION AND APPOINTING A HEARING OFFICER**

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This matter came before Chairman Deborah Taylor Tate, Director Pat Miller and Director Ron Jones of the Tennessee Regulatory Authority (the "Authority"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on April 12, 2004, for consideration of the *Petition of Counce Natural Gas Corporation to Increase its Rates* ("Petition") filed on February 4, 2004. On March 24, 2004, the Consumer Advocate and Protection Division of the Office of the Attorney General ("Consumer Advocate") filed a *Petition to Intervene* in this matter.

During the April 12, 2004 Authority Conference, the panel voted unanimously to grant intervention to the Consumer Advocate and appoint the Authority's General Counsel or his designee to act as the Hearing Officer in this matter to make findings of fact and conclusions of law, as necessary, and to render an initial decision on the merits of the *Petition*, pursuant to Tenn. Code Ann. § 4-5-301 and § 65-2-111 and such other legal authority as may be provided by law.

**IT IS THEREFORE ORDERED THAT:**

1. A contested case proceeding is convened pursuant to Tenn. Code Ann. § 65-5-203.
2. The Consumer Advocate is granted leave to intervene and receive copies of any notices, orders or other documents in this matter.
3. The Authority's General Counsel or his designee is appointed Hearing Officer in this matter to make findings of fact and conclusions of law, as necessary, and to render an initial decision on the merits of the *Petition*, pursuant to Tenn. Code Ann. § 4-5-301 and § 65-2-111 and such other legal authority as may be provided by law.

  
Deborah Taylor Tate, Chairman

  
Pat Miller, Director

  
Ron Jones, Director